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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JONATHAN MATTHEW WHITEHEAD,)
a/k/a "John White,")
)
Defendant.)
)
)

No. CR 10-00299 DLJ

~~PROPOSED~~ ORDER TO EXCLUDE
TIME UNDER THE SPEEDY TRIAL ACT
FROM APRIL 20, 2010 TO MAY 14, 2010

Date: May 14, 2010
Time: 9:00 a.m.
Court: Hon. D. Lowell Jensen

The defendant, Jonathan Matthew Whitehead, represented by Assistant Federal Public Defender Ned Smock, and the government, represented by Wade M. Rhyme, Assistant United States Attorney, appeared before United States Magistrate Judge Donna M. Ryu on April 20 and April 23, 2010 for an initial appearance and arraignment, respectively, in the above-entitled matter. The parties represented that counsel for the defendant had requested discovery and that the United States had made an initial production of discovery. The parties agreed that counsel

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1 for the defendant would need additional time to review discovery and to confer with the
2 defendant.

3 On that basis, the parties requested that the matter be continued to May 14, 2010 before
4 United States District Judge D. Lowell Jensen. The parties jointly requested that time be
5 excluded under the Speedy Trial Act between April 20, 2010 and May 14, 2010.

6 Based upon the representation of counsel and for good cause shown, the Court finds that
7 failing to exclude the time between April 20, 2010 and May 14, 2010 would unreasonably deny
8 the defendant continuity of counsel and would deny counsel the reasonable time necessary for
9 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §
10 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time
11 between April 20, 2010 and May 14, 2010 from computation under the Speedy Trial Act
12 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §
13 3161(h)(7)(A). Therefore, IT IS HEREBY ORDERED that the time between April 20, 2010 and
14 May 14, 2010 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §
15 3161(h)(7)(A) and (B)(iv).

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17 DATED: 4/28/2010 _____


HON. DONNA M. RYU
United States Magistrate Judge